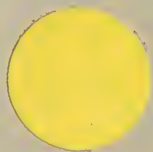
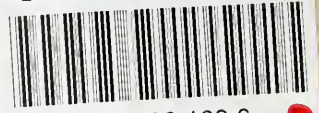


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America. Germany. France.
The Administration Vindicated.

SPEECH

OF

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ROScoe CONKling,

OF NEW YORK,

DELIVERED

IN THE SENATE OF THE UNITED STATES,

FEBRUARY 19, 1872.

"Let all the ends thou aim'st at be thy Country's."

WASHINGTON:
F. & J. RIVES & GEO. A. BAILEY,
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1872.



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America. Germany. France. The Administration Vindicated.

On the 12th of February, 1872, Mr. SUMNER, of Massachusetts, offered a long preamble charging the authorities of the United States with violating neutrality toward Prussia in the late Franco-German war by selling arms to France. The preamble also charged American officials with corruption.

A resolution followed raising a special committee to inquire into all the charges, and also into other matters not touching the Government or officials, but relating to the mercantile affairs of American citizens.

No objection was made to an immediate vote on the motion, but Mr. SUMNER asked delay.

On the 14th day of February, Mr. SUMNER asked to put aside all other business and take up his motion. This was promptly voted, and an immediate investigation was offered by the Republican Senators. A vote was not permitted, but Mr. SUMNER, and afterward Mr. SCHURZ, delivered elaborate speeches reiterating and enlarging the charges, and reading newspaper and other statements to prove them in advance.

On the 19th of February—

Mr. CONKLING said:

Mr. PRESIDENT: Nearly five months of this session have gone—March, April, December, January, have gone, and nearly the whole of February. Legislation waits, and debate goes on, only for political effect. The appropriation bills are put aside. They ought to be acted on now, while they may be deliberately sifted and freed from errors which will escape us in the haste of belated consideration. The revision of the tariff which ought to be made, has not yet been made. No action has been taken upon the bill which ought to strike forty millions of internal taxes from the shoulders of enterprise and labor, which ought to disband the remnant of the army of internal revenue collectors, and reduce the internal revenue establishment to a skeleton. These bills and others wait. Needless political discussion blocks the way.

If right were the opposite of wrong, this could not be right; but rights are of many kinds, and some rights are the twins of wrong. The Constitution says a Senator shall not be questioned in any other place for that he utters here; and thus a Senator may, by preamble

and by speech, slander his countrymen, slander his Government, slander his country, and place it in a false position before the nations of the earth. All this may be done to the hurt of the public business, to the peril of the nation's interests at home and abroad; and there may be no aim or reason in it except to affect a presidential election, and to gratify passion and wreak vengeance on individuals. It may be done boldly in plain words, or it may be done by vague and cunning hints; it may be best done by insinuation, the most deadly weapon in slander's virulent vocabulary. However it be done, if it be done and time be wasted in debate, the waste must be charged to those who bring on debate and insist upon it.

The Senator from Massachusetts would have delay. He would not have investigation, he would have debate. He would not have business, he would have talk. He would precede investigation by a speech which fills seven columns in the Globe, and which could not go unchallenged. He would utter statements in advance, which could not escape exposure and denial.

He said his speech was not political. What was it? What was its aim and object? Was it to obtain investigation? The whole Senate proffered that. To use a favorite expression of the Senator's, the proposition to investigate was "hailed" throughout the Chamber; there was not one dissenting voice. "Turn on the lights," "Turn on the lights," was the demand on every side the moment we heard the dark insinuations of the Senator. He himself, and he alone, asked that his resolution should lie over and not be acted upon at the time he introduced it. He himself requested that it should wait, that debate might proceed; and I pause here to send to the Secretary the New York Tribune, from which I ask that an editorial may be read. I have marked it.

The Chief Clerk read as follows from the New York Tribune of February 15, 1872:

"The Arms Scandal.—If we regarded the defeat of the renomination of General Grant as the sole

object and end of political work at this moment, we would be perfectly satisfied with the performances of his thick-and-thin partisans in the Senate and in the press. If they had a particle of sagacity left they would not for a moment suffer themselves to be placed in a position so humiliating and so untenable as that which they have voluntarily assumed. When Senator Sumner introduced his resolution calling for the appointment of a committee to investigate the suspicious circumstances connected with the sale of United States arms to the agents of the French Government of National Defense, the President's partisans in the Senate at first prevented the consideration of the resolution, while their liveried organ in New York followed its usual custom of denouncing the Senator who introduced the resolution, ascribing to him and to all who support the demand for an inquiry those mean motives which alone it is able to comprehend. *Is it possible that they know what they are doing? Do they not see that this is the course which leads to the utter ruin of politicians and of parties?* This is a matter which cannot be hid out of sight. Every moment of resistance increases the general suspicion and indignation. For a day the country and the independent press awaited the action of the Senate. During this pause of attention the janizaries of the Senate and their newspaper lackeys drew a breath of relief, and one of them yesterday began to exult that the movement for investigation had, to use its own choice English, 'fallen comparatively still-born.' They saw a new light on the subject yesterday, however, and the resolution passed without serious opposition. Now, let no one resist or delay a thorough and searching examination of this matter."

Mr. CONKLING. I take the Senate to witness the calumny there recorded; I take the Senator from Massachusetts himself to witness it. I refer to the records of the Senate, to the Journal, and the Globe, to prove that the Senator himself, and the Senator alone, requested that no action should be taken on the resolution when it was brought forward, but that it might lie over and wait.

Mr. SUMNER. Lie over and be printed.

Mr. CONKLING. "Lie over and be printed." Of course lie over and wait. The Senator chose his own time to call it up, and the Senate voted to put aside all else that the Senator might proceed. Yet, Mr. President, such is the violence done to truth in a wanton and ruthless crusade for political effect.

What was the aim and object of the Senator's speech? It could not be to secure investigation. No plea was needed to obtain inquiry; there has never been a moment since the resolution was heard that the Senator could escape inquiry had he wished to do so. What was the purpose of his speech? Was it to prejudge the truth and forecast it against us? Was it to assist France and French claim agents in prosecuting claims against American merchants and American citizens? Was it meant to gender suspicion and rouse passionate resentment toward those charged with executive affairs? Was it meant to make the Germans of America believe that high Republican officials had clutched French blood-money in a war in which the whole Republican heart beat for Germany? Was it meant to help the Democratic party out of its plight of sympathy and partisanship for France throughout the German war? Was it thought that the Germans of America could be persuaded that

there went from a Republican Administration a prayer, a hope, or a wish for French success on the burning battle-fields where Germans and Germany won imperishable renown? Was it meant to compromise or convict us before the world for having been false to national morals and national vows? Was it meant to befool us in the eyes of Christendom; to say to England and to Germany, now when Germany's emperor is about to sit as umpire upon claims of ours, that the Republic of America had been more perfidious than England ever was? I will read two brief editorials, one from the New York World, and one from the New York Sun, to show the impression produced upon the press and the public by this strange proceeding. The World says:

"There was a deliberate violation of the neutral obligations of the United States. Our Government behaved altogether worse toward Germany than the British ever did toward us in the gloomiest period of our civil war. The Government establishments were worked to their fullest capacity in manufacturing cartridges for France to be used against Germany. The most improved patterns of arms were sold to the agents of France out of the national arsenals. The worst that we have ever charged against England is that she permitted private individuals to build ships for the confederates. But our Government did not merely allow the French agents to purchase arms and ammunition of private manufacturers, but set all the public establishments in full activity to manufacture these things for France to be used against Germany. This scandalous affair will turn the whole voting German population of the United States against General Grant."

The Sun says:

"Another point of equal, if not greater importance, is the fact, which also seems to be proved by official evidence, that the workshops of the War Department were employed during the period in question in manufacturing cartridges for the French Government. It appears that France would not buy the arms unless ammunition was furnished to use in them; and so great was the power of the military ring of speculators that they were able to cause the War Department to furnish these cartridges. This was a violation of the laws of neutrality and of international obligations far exceeding all that England can be charged with for allowing the Alabama, the Florida, and the other confederate cruisers to depart from her ports upon their errand of destruction. In that case she was guilty of negligence; but in the case of the ammunition manufactured for the French during their war with Germany, General Grant's administration was guilty of taking direct part in the war."

Mr. President, what other impression have the Senators from Massachusetts and Missouri been laboring to produce? What other impression did they suppose was to come from the assertions of the preamble, and the speeches with which they followed it? Bismarck had not complained that we had violated the duties of neutrality. I have a right from the evidence before us to say that he approved the propriety of our course. That true German, and Christian gentleman, Baron Von Gerolt, who at the time represented the North German Confederation here, never criticised or took umbrage at our sales of stores. The origin of these criticisms and charges is widely different; and what impression, I repeat, except the one these newspapers reflect, was expected from such manifestoes at such a time?

I have seen an attempt to gild the unpatriotic features of this proceeding by saying that the charge is not aimed at the American people. Mr. President, that will not do. The lacquer is too thin. We never charged the British people with building and fitting out rams for the rebels, and making England a naval base for the confederacy. We did not say the people of Britain permitted these acts. We charged the British Government with guilt, and our charge meant treaty or war. And when these Senators charge the American Government, the acknowledged authorities of our country, with acts such as are depicted and insinuated in this preamble, it will not do to say the charge is harmless because it is not leveled at the whole American people. It is in effect leveled at the whole American people. If the charge were true, the nation aggrieved would have the right to hold America responsible.

Listen again to some of the imputations we have heard. I read the words of the Senator from Massachusetts as they stand recorded in the Globe:

"And now, sir, I present this case on suspicions aroused abroad and apparently sustained by documents here at home. That is all." * * * "American officials suspected! Who, sir? How suspected? Eminent they must be if their names or their positions are known in France; not without evidence, if suspicion has been awakened so far away."

And then, quoting what my friend from New Jersey [Mr. FRELINGHUYSEN] most aptly styled "the brag of a broker" that he had the "strongest influences" at work for him, the Senator continued:

"The strongest influences working for us." Sir, what are the "strongest influences?" They could not be men in the streets or mere attorneys hired for the occasion; hardly members of Congress; they must be men near the business in hand."

Who are these insinuations meant to hit? What impression are they meant to carry abroad? Can you imagine a British peer uttering words like these in the House of Lords at random? Can you imagine a British peer uttering such words about his Government unless they were wrung from him by conviction after thorough examination, and when judgment and conscience would no longer permit him to doubt? Can you understand the utterance of such words by an American Senator unless he had made sure of his ground? Can you imagine a Senator professing to belong to the political party charged with the administration of the Government, making such statements in his place, without having taken every pains to ascertain their truth, ay, without having taken a bond of fate to guard against mistake?

The Senator tells us he knew of this subject before December. Ay, long before December. I speak in the hearing of Senators who know that weeks before December, this matter was being prepared and trained as a mine, the explosion of which would destroy officials "eminent" indeed, even higher than the rep-

resentatives of the people, higher than members of Congress.

The honorable Senator says he kept his design locked up in the depths of his own consciousness. He revealed it to no one. Let me read his words:

"At any rate, I know that no human being had reason to suppose I was to move in it until I did."

Here, Mr. President, is a remarkable phenomenon. The substance of this portentous preamble and resolution, was published in Boston, in Chicago, and in Cincinnati, before it was presented here, with an announcement that it was to be presented on the next day. Can anything be found in clairvoyance or psychology to exceed this? Burke said the age of chivalry had passed away; but clearly the age of miracles is still upon us.

We know that the honorable Senator is very near the press; but there is nothing in the nearness of Damon and Pythias, nor of Romeo and Juliet, which comes so close to absolute oneness as this. I might borrow the language of a hymn, and say of the newspaper men and the Senator—

"They know the words he means to speak
Ere from his opening lips they break."

[Laughter.]

It is marvelous that such silence, such reticence, such reluctance, should not have kept this huge affair from being darkly hinted in political circles for months, and from being recorded in newspapers before it broke upon the ears of the Senate. It is possible that as men engaged in daring and perilous ventures, sometimes cast lots as to which shall do the deed, so there was, down to a recent period, some doubt as to who should bear the match that was to fire the fuse, that was to explode the bomb, that was to destroy a dreaded presidential candidate, and disable all who sustain him. The cast of characters may not have been agreed on, nor the heavy part given to the Senator till late.

But the Senator from Massachusetts knew of the matter for weeks; did he take one natural, one generous or just step to ascertain the truth of his assertions? He alleges in his preamble—and I wish once more to call attention to the language—this:

"It appears from the official report of the Secretary of War that in the year 1870-71 the sale of ordnance stores reached the sum of \$10,000,000, from which, according to the report, only a small sum was retained to meet the expenses of preparing other stores for sale."

Now mark, Mr. President:

"while the official report of the Secretary of the Treasury for the same year acknowledges the receipt of only \$8,286,131 70, showing a difference of over \$1,700,000."

This charge I understand to be withdrawn now; but why was it published and sent throughout two hemispheres? That is the question. I have heard the Senator quote a saying which he thinks started with Fisher Ames,

that a lie will run a mile while the truth is putting on its shoes and stockings; and why was such a calumny sent to traverse earth and sea without some pains being taken in advance to see whether even apparently it had the shadow of foundation? The very official report referred to, on its face disproves it. No allegation can be more false, none more palpably false, than the allegation that the finance report in question acknowledges the receipt of only \$8,286,131. It is doubly untrue. First, no such thing appears; and second, the reverse appears.

One word from the Secretary of the Treasury, one word from any clerk connected with the accounts in the Treasury Department, would have dispelled and exploded this delusion. The War Department is in sight of the windows of the Senator from Massachusetts. In that Department lies a record, an original record, proving immutably by items every sale of arms. The lodgings of the Secretary of War are divided from the lodgings of the Senator from Massachusetts, only by a street. A biscuit can be tossed from one to the other. Knowing of this subject since before December, did the honorable Senator take the pains to inquire of his neighbor and constituent, the Secretary of the Treasury, or of his immediate neighbor here, the Secretary of War? No, sir. I have a right to say no, for I pressed the Senator upon that point. When he objected to an interruption by the Senator from Iowa [Mr. HARLAN] to correct his Associated Press dispatch, I asked him whether he had taken the trouble to inquire if the sale he sought to show by the newspaper, had in fact occurred, the statement of the Secretary of War not showing it; and his answer stands recorded:

"I have held no communication with the Department on the subject."

No communication with the Department; but the tedious labor of rolling back and ransacking newspaper files was not distasteful when the object was to impeach the word of the Secretary of War; and accordingly, the ponderous files of the New York Times were turned back a year and three months, to find an Associated Press dispatch in October, 1870—for what? To prove that the Secretary of War certified falsely when he sent a communication to the House rendering an account of his stewardship in the disposition of ordnance stores.

But what will the Senate think, if it turns out that this Associated Press dispatch, brought in for such a purpose, nowhere states any sale of arms or of ordnance stores? Let me read it:

"The bids under the advertisements of October 17, opened at the Ordnance Bureau yesterday, are as follows."

"The bids *opened* are as follows"—not an intimation that they were accepted; but a statement whether they were rejected or accepted; but the Senator, with the Treasury Department on his way to the Capitol, with

the Secretary of War at his elbow, waited through the gay and leisurely holiday season, and came into the Senate in the month of February, no question having been asked of either Secretary, and read, that the nation might hear, an Associated Press dispatch, empty in fact, and introduced for no purpose save to impeach the word of the Secretary of War.

But this was not enough. The Secretary was to be chased yet further with the hot foot of hostile eagerness. The Senator says:

"They"—

That is, the authorities—

"took no initiative, but sent a report to the other House which on examination excited still further suspicion." * * * "But, sir, this report which I hold in my hand, and which was sent here to counteract the inquiry already foreseen"—

There is a pleasant suggestion. For generous candor and charity, commend me to a sifting like that. Let me give a moment to it. Sent to Congress "to counteract the inquiry already foreseen!" Why should the Secretary of War wish to thwart an inquiry; why could he wish to thwart it, except that "conscience does make cowards of us all?" Does not every one see the imputation, the double imputation, in this language: first, that the Secretary of War had a guilty consciousness, the black drop in his heart we call guilty motive, to escape the investigation; and second, that he made an attempt to circumvent and evade investigation by a trick upon the House of Representatives? But further says the Senator:

"If you look at it"—

That is, at this report—

"you will find on its face—how shall I express it?—an incompleteness, if not a slovenliness of preparation. Here is this long list containing the amount of sales, but there is no addition, *there is no sum total at the end. Why was that omitted? I hope before this debate is over that there will be some explanation of it. I have heard of an explanation from an important quarter, and I await communication of it by some other Senator. I have said that this report, sent to the other Chamber as an answer in advance to any possible inquiry, is incomplete; I am almost ready to say painfully incomplete.*"

The row of figures was not added up! Mr. President, it was Paul—Paul, the noblest advocate that ever stood before a court—who said, "Though I speak with the tongue of men and of angels, and have not charity, I am become as sounding brass and a tinkling cymbal.

"O, beware, my lord of jealousy;

It is the green-eyed monster which doth mock
The meat it feeds on."

A great master tells us that—

"Suspicion always haunts the guilty mind."

How can a suspicion so unworthy, so baseless, so barbarous, find harbor in a breast so guileless, so generous, so gentle, so just?

Mr. President, a scent less keen, eyes less bloodshot, prejudices less blinding, passions less unquenching, would have avoided many errors in this ugly business. Let me speak of one strange blunder, if blunder it be, of which you have not heard. One of the most odious and

enormous charges of the preamble is this: it is alleged, in substance, that France paid our Government for arms a great sum of money, and that our "officials" have not accounted for it, but that a deficit is shown by the accounts. The Senate will see the elements of this charge. The first element is, of course, a purchase from our Government; because if the purchase was not from the Government, no such charge, or question, or deficiency, could exist. The preamble refers to "authority for this accusation. What is the authority? The French account, as it appears in the report of a French commission. The Senator from Massachusetts produced this report, and he and the Senator from Missouri both used it, and referred to it, to sustain, and they stated that it did sustain, the allegation based upon it. I read now from the preamble:

Whereas a comparison of the accounts rendered by the French Government for moneys expended by its agents in the purchase of arms from the United States, and the accounts rendered by the Government of the United States for moneys received in the same transaction, show a large difference, *which seems to have given rise to the suspicion abroad that United States officials have taken an undue part therein,*

It will be seen that the marrow of this count of the indictment is that the United States was the seller. The averment is that the money was expended "in the purchase of arms from the United States." The intention of the draughtsman does not rest upon the words "from the United States" alone, because the sentence concludes by saying that "United States officials" are those suspected in the transaction. Thus the Senate will see that the pith of this specification, and the whole sting and force of it, is that arms were purchased "from" the United States. If arms were only purchased in the United States, if they were only purchased of citizens and merchants in America, it would be absurd to talk about the Government as a party to the sales; or of "officials," as those who made commissions or profits. The record produced of the French report in which the account of moneys paid is given, was the New York Sun. Here it is—the Sun of July 12, 1871.

The Senator from Massachusetts and the Senator from Missouri adopted this translation, and brought it forward. I have taken the trouble to look also at the original in the French paper, and poor as are my attainments in foreign tongues, I venture the prediction that no doubt will be set up as to the correctness of the translation in the respects to which I now call attention. I hold up the record, and deny the truth of the version which has been given of it. I say there is no such account as we have had quoted to us. There is no statement of hint that a farthing was ever paid to the United States for arms; there is no hint in this record that arms were ever purchased from the United States. The assertion in the preamble is a perversion; it is more, it is a fabrication out of whole cloth. The lan-

guage is more than tortured, it is more than garbled; the true language and sense is omitted and suppressed, and other language with different and opposite meaning is put in its place. I read the French record. First comes the Sun's editorial preface. It is of value on the point I make, because the chief editor of the Sun is one of the most accomplished linguists in our land, and with a French paper before him, he knows what he sees. This is his introductory remark:

"The commission immediately entered upon its labors, and on the 27th of June, Mr. Léon Riant, to whom had been intrusted the investigation of the purchases of arms and ammunition here in New York, presented to the Assembly his special report."

Observe the statement: "purchases here in New York," not in Washington or of the Government of the United States.

Now I come to the passage marked by the Senator from Massachusetts. The editor says:

"In order that our readers may understand the whole matter we give a translation of the report of M. Riant in full, as we find it in the Journal Officiel de la République Française, June 28."

I read now the opening passage of the report:

"The commission of armament, led at the outset of its operations by the insufficiency of the European production, to effect purchases of arms in the United States"—

"In the United States," not "from the United States." Then follows some figures; and I come to the second passage marked by the Senator:

"The majority of the arms purchased in the United States have been delivered by the firm of Remington, or purchased by its intervention," &c.

Nothing is said of purchases from the United States. The only statement bearing on the point is that the United States is the country in which the purchases were made.

Here, then, is the truth of the matter. The French commission make report of arms bought in the United States, of arms bought in New York, of arms bought in the American market, of American dealers. The commission does not report that any arms were bought from the United States, or that any transaction in arms ever took place with the Government of the United States—no such thing. Yet this report, written and printed in a foreign tongue, is produced here by reference and statement, to show not what it does show, but what it does not show. The difference between the fact and the assertion is as plain as between black and white. It is a vital and a convenient difference. Truly rendered, the report has nothing to do with the case, and cannot touch any official; but as it has been rendered, it has everything to do with the case, and soils American officials. Taken in connection with the *animus* to be seen throughout this affair, this error is very suggestive. Such a mistake on a trial for horse stealing, might disbar an attorney, or rob a witness of his liberty. I make no statement or suggestion who is guilty of this error or offense. I do not know. It would have been a fearful mistake

in a case where the rights of an individual were staked, it is a graver matter where the rights and the good name of a nation are in the scales. We have heard something of a book-keeper, who compared this account with the accounts in our Departments. He was not named, his name seemed a secret, but if this be his handiwork, and he continues his trade, he may yet leave a—

"Name to other times
Linked with one virtue and a thousand crimes."

I wish to guard my statement here, and I ask my honorable friend from Vermont, [Mr. EDMUNDS,] who has scanned this report and translation more closely than I, to witness my assertion. Referring to the passages marked, (which I have looked at and answer for, myself,) and referring also to the entire report, there is not, I think, anywhere a statement or a hint that arms or ordnance stores were bought from the United States, but only a description of them as having been purchased in the United States.

Mr. EDMUNDS. No place in it where they are spoken of as ever having belonged to the United States.

Mr. CONKLING. I repeat the answer of the honorable Senator, as it may not have reached the ears of all the Senate, namely, that there is no place in that report in which it appears that these arms were ever owned by the United States.

Mr. President, how comes all this succession of errors or misstatements in this preamble? There is not one substantial averment which has not been pulverized. How came they there? I submit to the Senator himself, whether that care and caution due from the highest and the humblest in matters affecting the rights of even individuals, would not have shunned errors so manifold and so monstrous. If the credulity of any Senator has been imposed upon, I suggest it is high time that it should be admitted.

But blunders are not all, and blunders were not enough. The preamble was not enough; the speeches by which it was to be followed, were not enough. The affair must be huge and sensational to the utmost. There must be lightning all around the sky. The occasion must be full of signs and wonders. Stars must shoot madly from their spheres. The whole continent must stand aghast, and its blood must freeze at the audacity and monstrosity of official sin. The whole thing must be grand, gloomy, and peculiar. We must have a select committee. The stage must be crowded with startling and theatrical effects! Why a select committee? Two months ago the Senate was libeled for days if not weeks, because it was suggested that it might be wise and convenient to distribute investigations among different committees; that it might not be best to have one committee for all investigations. We were told then, in no polite or measured phrase,

that to distribute investigations between different committees, was to cloak fraud and stifle investigation. We must have one committee, we were told, a standing committee, a committee on retrenchment and investigation, and this committee, scouring earth and sea, must investigate everything. We raised the committee. The rest of us have been compelled to refer investigations far more substantial and useful than this, to that committee. Why should not this investigation go there also? Mr. President, I will tell you why. There was something beyond the sensation to be produced when the people of the country should see the curtain rise and discover the honorable Senator from Massachusetts with a special committee of seven at his back. The sensation would of course have been immense, the committee would have been majestic, and the affair such a mammoth, that the committee in charge of it must have nothing else to do. But something beyond this great tableau was hoped for in a special committee. It would, of course, if the Senator from Massachusetts was to head it, be a deeply biased committee. Had the original motion for a retrenchment committee prevailed literally as it was offered last April and again last December; had the motion prevailed to revive the old committee of which the Senator from New Hampshire, now absent, [Mr. PATTERSON,] was chairman, and from which he had been transferred to the chairmanship of another committee, leaving the Senator from Missouri [Mr. SCHURZ] the senior member of the retrenchment committee; had that original resolution literally prevailed, and cast upon the Vice President the duty of reviving the old committee, hampered as he would then have been by parliamentary usage and etiquette, the Senator from Missouri would have been the chairman of the committee. Had this snug result been brought about, we should have had no motion for a special committee here, the "eternal fitness of things" would have been fully preserved by having the Senator from Missouri the charioteer of a publication machine, to address to the Germans of the country a report showing that General Grant had trampled neutral vows and obligations under foot, and sided with France in that bloody grapple for the mastery in which she went down before Germany. Ay, sir, we are indebted to the accident that we created a new committee, in place of reviving the old one with the Senator from Missouri at its head, for a motion raising a select committee, whose mission in part would be to illustrate a principle in physics known as the indefinite expansibility of matter, to show the world into how great a balloon, a matter of no moment in truth or in fact, could be blown.

And now I want a word with the Senator from Missouri, [Mr. SCHURZ.] I shall speak with the same confidence and frankness with which he addressed us on a recent occasion. That honorable Senator informed the Republican mem-

bers of the Senate—no, I correct myself; that statement is inadequate; I should say that in solemn and weighty words he divulged to the Republican members of the Senate an impression, dark and wide, in the country, that there exists somewhere a “military ring.” Let me read the language of the Senator:

“But, gentlemen, do not close your eyes to one fact—and here I will express myself frankly and boldly.”

That is right; I like a bold man.

“There is an impression prevailing in this country that somewhere in this Government there sits a ‘military ring,’ which is exercising an unwholesome, a far-reaching, a corrupt, and dangerous influence upon this Administration. That impression is growing all over the land. This suspicion may be well-founded or it may not.”

My acquaintance with the people of the country may not be as extensive as that of the honorable Senator from Missouri; but the people I meet, have, I think, no such impression. They hear talk about a “military ring.” They regard that talk as a part of the slang and scandal that defiles and brutalizes our politics. They read paragraphs in newspapers talking about a “military ring,” and they dismiss them with other such, regarding these reeking publications as among the brutalities of progress.

But, Mr. President, I want to tell the Senator of an impression that does prevail. There is an impression with many people—it is coming, I am sorry to say, to be a fixed impression—that another ring exists—a “senatorial ring,” or, more properly speaking, a “senatorial cabal.” The impression is that the business of this senatorial cabal, is not to furnish ammunition to the French, but to furnish ammunition to the Democratic party. It is believed that men flying the Republican flag, are trying to strand the Republican ship. It is believed that the business of this cabal is to malign the President of the United States, to disparage and belittle him, to assault his administration, to wait for opportunities, ay, in the language of the good Book, “to lurk privily” for opportunities, to place him in an injurious and unjust position. It is believed that the business of this cabal is to assail and impugn the majority in Congress, and to injure those charged with the conduct of public affairs. It is believed that this cabal aids to get up and keep up that snow-storm of libels, too great in volume to be measured, which falls daily on the country; that stream of shameless falsehoods which, taking its rise in Washington, pours itself over the land through “independent” and avowed Democratic papers.

It is believed that persons connected with this cabal are inflicting wounds upon the Republican party which Democrats have not the power to inflict; wounds, which these same persons could not make so deep, if they would put on Democratic armor and let it be seen. This impression waxes apace. It is strong, very strong just now, in the State of New Hampshire. There is fresh reason for it in New

Hampshire. An election depends there, and the politicians say that whether the Republican ticket shall stand or fall, is of much import for the light or shadow it will cast on the coming presidential canvass. In the thick of the New Hampshire contest, shrewd Democratic politicians treasure like “apples of gold in pictures of silver” the words of members of this supposed senatorial cabal; their speeches command attention with the New Hampshire Democracy, which could not be gained by all the Democratic heroes and sages from Jefferson to my honorable friend from Missouri, [Mr. BLAIR,] not even for the Brodhead letter. [Laughter.] That vivacious production is not so great a favorite now, it is not such a success, or, as the play-bills say, it has not such “a run” in New Hampshire now, as another document, which lies before me. Here is a pamphlet consisting of twenty-four closely printed pages. It is entitled “Plain language of independent Republican Senators;” “Thieving and profligacy exposed;” “Speeches of several Senators;” first of all, the honorable Senator from Missouri, [Mr. SCHURZ.] This pamphlet bears the following *imprimatur*: “Published by the National Democratic Resident Committee, Washington, District of Columbia.” These speeches appear without note or comment; no gilding fine gold here; no painting the lily. Those who prepared the pamphlet, thought they would let the speeches be as their makers made them, and stop where their makers stopped them, because they could not be improved as electioneering documents for the Democracy. I am told that two hundred thousand copies of this pamphlet have been sent free through the mails of the United States franked by the Democratic members of the House, into the State of New Hampshire.

Such events, and such a proceeding as now detains the Senate, I tell the honorable Senator will not tend to dispel the impression that there does exist such a cabal. The proceeding before us, wears an ugly look; the business of turning accuser of the Government, and charging a breach of neutrality touching Germany at this time, has an ugly look. It is not giving information to the enemy in time of war, but there is a sort of family resemblance between the two things, which will lead a great many people into serious thought. A great many people will think of it as the man thought of his horses when he said, “One looks so much like both, that I cannot tell the other from which.” [Laughter.]

But, Mr. President, I am able to assure the Senator, and I hope the assurance will give him pleasure, that the people in no portion of the country, as far as I can learn, are being misled by these proceedings. They understand the meaning of it all. In the State of New York, during the last fortnight, many elections have been held; the spring elections are progressing, and East and West, not only do the

Republicans hold their own, but elections result in unexpected, and in some cases unexampled Republican gains. The people believe in the Administration, and in the Republican party as the party of progress and true reform.

The other day, in the city of Buffalo, a Democratic city, in which there is a large representation of that sturdy, intelligent, upright people, the Germans of America, the Republican ticket was chosen by a majority of nearly twenty-five hundred; most of the wards giving Republican majorities. The same thing in less degree is true generally in the recent and current elections in the State of New York.

No, Mr. President, the pretense that there is a "military ring" gives no disquiet to men who believe the cause of the Republican party identical with the cause of the Republic; and with no right to speak for them, I venture to say that the Germans of the State of New York and of the other States, cannot be hoodwinked, nose-led, or handed over, by any man, wherever he may be. The Germans had too much to do with preserving our nationality when it rocked in the throes of an earthquake, to be willing so soon to hand the country over again to the party which once well-nigh ruined it. The Germans know that it was a Democratic Administration which prostrated our credit; which stripped our northern arsenals of arms and sent them to be ready for traitors in the South; which banished our Navy to distant seas; and sought to bind the Government hand and foot that conspirators might murder it in its bed. The Germans know that a Democratic Administration did all this and more, and that the Democratic party before, and during the war, and since the war, has been hostile to liberty, equality, law, public faith, and national honor.

Napoleon said Europe would be republican or Cossack; and in the next presidential election our country will be Republican or Democratic. Germans and all other men of sense know this; they know that third-party movements, and Republican defections, mean aid to the Democratic party; and such a woe must have something more to commend it, than the griefs or resentments of individuals.

Will the Senator join with me, or will he let me join with him, in removing the impression, if there be an impression abroad, that there exists a "military ring" on the one hand, and the impression also that there exists a senatorial ring, fatally bent on mischief, determined to divide, disintegrate, and destroy the great party of progress and reform? Will the honorable Senator join me in dispelling these two murky appearances?

Mr. President, it was not my purpose to trespass thus long on the patience of the Senate; yet it is my wish to say something touching the transactions referred to in the preamble as they in truth took place. When our great struggle for nationality was over we

found ourselves possessed of a great aggregate, not only of arms, but of stores, material, and munitions of war. This mass of perishable property was to be sold, and at sale by public outcry, it found only a tardy market. It was being eaten by the tooth of time; rust would corrode metals; moisture would destroy powder, and everything would lose value, beside loss of interest and storage. In 1868, on the 20th of July, Congress passed an act to hasten the disposal of this surplus. The object was to turn these stores into money at the first hour, and therefore the act authorized private sales. We had not only arms, but all parts of arms; we had not only cartridges, but all parts of cartridges; pig lead, powder, and metal. These articles were sold, sometimes "assembled"—using a phrase of the trade—all parts of the gun "assembled," that is, put together as a complete article. Sometimes, as the schedule of sales will show, these parts were sold separately—gun stocks, for instance, by themselves, in a lot, gun-barrels by themselves, and so on. The Senator from Missouri thinks he has discovered that under the statute it would not be lawful for the ordnance department to "assemble" the different parts of a cartridge in order to make it marketable, but that they must sell these parts separated, and as raw material.

Mr. SCHURZ. Will the honorable Senator from New York just permit me a question which I put in perfect good faith for my information?

Mr. CONKLING. Certainly.

Mr. SCHURZ. There is one portion of this statute which I do not really understand, and I should like to have his legal opinion about it, distinguished lawyer as he is:

"That the Secretary of War be, and he is hereby, authorized and directed to cause to be sold, after offer at public sale on thirty days' notice, in such manner and at such times and places at public or private sale as he may deem most advantageous to the public interests," &c.

Inasmuch as the Senator from New York has referred to there being some latitude given to him whether he is to sell at public or private sale, I should like to know how he construes this clause:

"Authorized and directed to cause to be sold, after offer at public sale on thirty days' notice."

Mr. CONKLING. Is that the Senator's question?

Mr. SCHURZ. That is my question.

Mr. CONKLING. Will it be agreeable to the Senator to allow me to postpone my answer for a space? I will come to it presently.

Mr. SCHURZ. Certainly. I did not mean to interrupt the Senator's argument.

Mr. CONKLING. I meant to remark on the mode of sale, and I am obliged to the Senator for calling my attention to it. I proceed, however, now to complete a different point to which I was in the act of speaking. The Senator from Missouri understands that

the statute works a disability to prepare or put in order for sale stores, or at least ammunition, or, more correctly speaking, that it does not contemplate or admit the power to prepare the wares for sale. I think that is his idea.

Mr. SCHURZ. I beg the Senator's pardon. I did not say that the statute did not contemplate the putting together of the different materials out of which ammunition is composed; but I did say that I did not think the statute contemplated the manufacturing of ammunition for the purposes of sale.

Mr. CONKLING. Somebody has said that words are things. I wonder if the Senator from Missouri would say so. I stated his point to be that under the statute they could not before sale properly put together the different parts of a cartridge and make it a complete marketable thing. He says that is not his point, but his point is that they cannot manufacture.

Mr. SCHURZ. I beg pardon.

Mr. CONKLING. Then I do not understand the Senator.

Mr. SCHURZ. That the ordnance department may put together the different materials which constitute a cartridge there can be no doubt in the world, for they have got to do so for the use of the Army. The question is this: whether a statute allowing the ordnance department to sell material which is unsuited, or unsuitable as the statute expresses it, for the use of the Army or of the militia of the United States, permits the ordnance department to manufacture cartridges for sale? That is what I say.

Mr. CONKLING. The honorable Senator I suppose does not understand that this particular statute gives the power to manufacture cartridges for use in the American Army.

Mr. SCHURZ. No, sir, that the statute does not give any such power.

Mr. CONKLING. Then let us lay that matter out of the case, and let us assume that he and I alike are discussing what might be done under the statute now in question, and for the purposes of the statute.

Mr. SCHURZ. Precisely.

Mr. CONKLING. Let me restate the Senator's point, because I am not one of those who suppose advantage can be gained by misstating or undervaluing the position of an adversary. Let me state his point as strongly as I can. It is that under that statute the ordnance department had no right to take the different component parts of cartridges and put them together in finished cartridges, and then sell them. Is not that his point?

Mr. SCHURZ. Exactly.

Mr. CONKLING. So I first intended to state it, and I think I did. Let me examine the point. Does the Senator think that under that statute there is power to scour or burnish guns in order to make them marketable? Does the Senator think that if a thousand pieces lack ramrods, there is authority to sup-

ply the ramrods, to make them marketable? Does he think that if one hundred pieces have lost their bayonets, there is power to make or finish bayonets and put them on? If he admits this power, his argument falls to the ground? Why? Because the object of putting a ramrod upon a piece, or a nipple, or a hammer, or a guard, would be to make it marketable as merchandise; and if in order to make a thousand pieces marketable as merchandise, it is necessary to furnish with them their complement of ammunition, the power is the same, the purpose is the same, the legal test is the same; the two cases, as the lawyers say, are on all fours with each other. Does not the honorable Senator see that?

Now look at the proposition practically. Here was the Government an enormous holder of pig lead; millions of pounds, more, perhaps than could be found in all the country beside, were in the arsenals and manufactories of the Government. Does the Senator think that although they could sell so many tons of pig lead, and so many hundred pounds of powder, and although they could sell so much sheet copper to make cartridges with, they could not put these things together and sell them as a marketable article, if the price and the sale not only of the ammunition, but of the guns to go with it, depended on the ammunition? The Senator's argument proves too much. The statute means nothing useful, unless it implies the power to burnish arms, to make them serviceable and marketable, to repair them, to add a ramrod or a bayonet; and I call the Senator's attention to the fact that in the report of the War Department, which once played so large a part in this case, the report which was at first relied on for the now *post mortem* discrepancy, it is said expressly that money has been retained to put in order the residue of the stores for sale. The argument of the Senator would prove that the Secretary admits that he violated the statute there. The argument would prove that buyers must take the arms as they were rusted on the field of battle, blemished by the dew-fall, broken by the shock, take them as *débris* and refuse instead of buying them in good and merchantable order. This would be absurd.

Mr. MORTON. Will the Senator from New York allow me to call his attention to the fact, in answer to the question of the Senator from Missouri, that the ordnance department has authority by other statutes to go forward at any time, whenever there is an immediate prospect of war or an immediate prospect of sale, to manufacture into fixed ammunition all the raw material on hand, not depending upon this statute at all for that authority?

Mr. CONKLING. This is true no doubt.

Mr. SCHURZ. May I ask the Senator from New York whether he has got through with this point of the argument? I do not want to

reply to him. I shall do so at a subsequent period, but I might now call his attention to the question which I took the liberty of putting to him with regard to the meaning of the statute.

Mr. CONKLING. If the Senator is impatient for my answer, I will answer him now.

Mr. SCHURZ. No.

Mr. CONKLING. If he is not, I will renew the assurance given him a few moments ago, that I shall not omit that answer; and I will fortify my assurance by saying that I have a memorandum on my notes of that point, and my memorandum, and the Senator, and I together, will be able to take care that the matter is not forgotten.

Mr. President, this statute existing, and the ordnance department being, in the language of Vattel, engaged in its "customary trade," war suddenly reddened the fields of France and Germany. The cable flashed the news to us, and the President of the United States forthwith addressed to the American people a proclamation of caution touching their duties as citizens of a neutral power. I ask the Secretary to read that proclamation as I have marked it in the volume which I send to the desk. It contains a full epitome of neutral duties.

The Chief Clerk read as follows:

By the President of the United States of America.

A PROCLAMATION.

Whereas a state of war unhappily exists between France on the one side, and the North German Confederation and its allies on the other;

And whereas the United States are on terms of friendship and amity with all the contending Powers, and with the persons inhabiting their several dominions;

And whereas great numbers of the citizens of the United States reside within the territories or dominions of each of the said belligerents and carry on commerce, trade, or other business or pursuits therein, protected by the faith of treaties;

And whereas great numbers of the subjects or citizens of each of the said belligerents reside within the territory or jurisdiction of the United States, and carry on commerce, trade, or other business or pursuits therein;

And whereas the laws of the United States, without interfering with the free expression of opinion and sympathy, or with the open manufacture or sale of arms or munitions of war, nevertheless impose upon all persons who may be within their territory and jurisdiction the duty of an impartial neutrality during the existence of the contest:

Now, therefore, I, Ulysses S. Grant, President of the United States, in order to preserve the neutrality of the United States, and of their citizens and of persons within their territory and jurisdiction, and to enforce their laws, and in order that all persons, being warned of the general tenor of the laws and treaties of the United States in this behalf, and of the law of nations, may thus be prevented from an unintentional violation of the same, do hereby declare and proclaim that by the act passed on the 20th day of April, A. D. 1818, commonly known as the "neutrality law," the following acts are forbidden to be done, under severe penalties, within the territory and jurisdiction of the United States, to wit:

1. Accepting and exercising a commission to serve either of the said belligerents by land or by sea against the other belligerent.

2. Enlisting or entering into the service of either of the said belligerents as a soldier, or as a marine, or seaman on board of any vessel of war, letter of marque, or privateer.

3. Hiring or retaining another person to enlist or enter himself in the service of either of the said belligerents as a soldier, or as a marine or seaman on board of any vessel of war, letter of marque, or privateer.

4. Hiring another person to go beyond the limits or jurisdiction of the United States with intent to be enlisted as aforesaid.

5. Hiring another person to go beyond the limits of the United States with intent to be entered into service as aforesaid.

6. Retaining another person to go beyond the limits of the United States with intent to be enlisted as aforesaid.

7. Retaining another person to go beyond the limits of the United States with intent to be entered into service as aforesaid. (But the said act is not to be construed to extend to a citizen or subject of either belligerent who, being transiently within the United States, shall, on board of any vessel of war, which, at the time of its arrival within the United States, was fitted and equipped as such vessel of war, enlist or enter himself or hire or retain another subject or citizen of the same belligerent, who is transiently within the United States, to enlist or enter himself to serve such belligerent on board such vessel of war, if the United States shall then be at peace with such belligerent.)

8. Fitting out and arming, or attempting to fit out and arm, or procuring to be fitted out and armed, or knowingly being concerned in the furnishing, fitting out, or arming of any ship or vessel with intent that such ship or vessel shall be employed in the service of either of the said belligerents.

9. Issuing or delivering a commission within the territory or jurisdiction of the United States for any ship or vessel, to the intent that she may be employed as aforesaid.

10. Increasing or augmenting, or procuring to be increased or augmented, or knowingly being concerned in increasing or augmenting, the force of any ship of war, cruiser, or other armed vessel which at the time of her arrival within the United States was a ship of war, cruiser, or armed vessel, in the service of either of the said belligerents, or belonging to the subjects or citizens of either, by adding to the number of guns of such vessel, or by changing those on board of her for guns of a larger caliber, or by the addition thereto of any equipment solely applicable to war.

11. Beginning, or setting on foot, or providing, or preparing, the means for any military expedition or enterprise to be carried on from the territory or jurisdiction of the United States against the territories or dominions of either of the said belligerents.

And I do further declare and proclaim that by the nineteenth article of the treaty of amity and commerce, which was concluded between his Majesty the King of Prussia and the United States of America on the 11th day of July, A. D. 1793, which article was revived by the treaty of May 1, A. D. 1828, between the same parties, and is still in force, it was agreed that "the vessels of war, public and private, of both parties, shall carry freely, wheresoever they please, the vessels and effects taken from their enemies, without being obliged to pay any duties, charges, or fees to officers of admiralty, of the customs, or any others; nor shall such prizes be arrested, searched, or put under legal process when they come to and enter the ports of the other party, but may freely be carried out again at any time by their captors to the places expressed in their commissions, which the commanding officer of such vessel shall be obliged to show."

And I do further declare and proclaim that it has been officially communicated to the Government of the United States by the envoy extraordinary and minister plenipotentiary of the North German Confederation at Washington that private property on the high seas will be exempted from seizure by the ships of his Majesty the king of Prussia, without regard to reciprocity.

And I do further declare and proclaim that it has been officially communicated to the Government of the United States by the envoy extraordinary and minister plenipotentiary of his Majesty the emperor of the French, at Washington, that orders have been given that in the conduct of the war the com-

manders of the French forces on land and on the sea shall scrupulously observe toward neutral Powers the rules of international law, and that they shall strictly adhere to the principles set forth in the declaration of the congress of Paris of the 16th of April, 1856, that is to say: first, that privateering is and remains abolished; second, that the neutral flag covers enemy's goods with the exception of contraband of war; third, that neutral goods, with the exception of contraband of war, are not liable to capture under the enemy's flag; fourth, that blockades, in order to be binding, must be effective, that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy; and that, although the United States have not adhered to the declaration of 1856, the vessels of his Majesty will not seize enemy's property found on board of a vessel of the United States, provided that property is not contraband of war.

And I do further declare and proclaim that the statutes of the United States and the law of nations alike require that no person within the territory and jurisdiction of the United States shall take part, directly or indirectly, in the said war, but shall remain at peace with each of the said belligerents, and shall maintain a strict and impartial neutrality; and that whatever privileges shall be accorded to one belligerent within the ports of the United States shall be, in like manner, accorded to the other.

And I do hereby enjoin all the good citizens of the United States and all persons, residing or being within the territory or jurisdiction of the United States, to observe the laws thereof, and to commit no act contrary to the provisions of the said statutes, or in violation of the law of nations in that behalf.

And I do hereby warn all citizens of the United States and all persons residing or being within their territory or jurisdiction, that, while the free and full expression of sympathies in public and private is not restricted by the laws of the United States, military forces in aid of either belligerent cannot lawfully be originated or organized within their jurisdiction; and that while all persons may lawfully, and without restriction by reason of the aforesaid state of war, manufacture and sell within the United States arms and munitions of war, and other articles ordinarily known as "contraband of war," yet they cannot carry such articles upon the high seas for the use or service of either belligerent, nor can they transport soldiers and officers of either, or attempt to break any blockade which may be lawfully established and maintained during the war, without incurring the risk of hostile capture, and the penalties denounced by the law of nations in that behalf.

And I do hereby give notice that all citizens of the United States and others who may claim the protection of this Government, who may misconduct themselves in the premises, will do so at their peril, and that they can in no wise obtain any protection from the Government of the United States against the consequences of their misconduct.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this 23d day of August in the year of our Lord 1870, and of the Independence of the United States of America the ninety-fifth.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State*.

Mr. CONKLING. That proclamation followed the announcement of war at once. Before, its issuance, E. Remington & Sons, on five different occasions, had been large buyers of ordnance stores; they had bought large amounts in lots and groups of lots. And just here it will not be out of place for me to ask who are the Remingtons, and who is Samuel Remington? A brief and sufficient answer will be found in Senate Executive Document No. 72, of the second session of the Thirty-Seventh

Congress—a letter from the Secretary of War sent us on the 17th of July, 1862. It will be remembered that when the South was discovered to be on a war footing, and the veil was drawn aside which had partially concealed the most hideous political and military conspiracy of modern times, much haste and precipitation ensued in ordering munitions of war. Orders went by telegraph and by mail, and prices were judged of as best they might be from the facts before the authorities. Large orders went to the Messrs. Remington, and early in 1862 Mr. Lincoln and Mr. Stanton appointed a commission, to look into orders and contracts for arms, at the head of which was the present Judge Advocate General Holt. Robert Dale Owen, then of Indiana, was a member, and Major Hagner, major of ordnance, was an assistant of the commission. Here is its report, and I send to the Secretary, asking him to read the brief passages I have marked first from the testimony of Samuel Remington and then from the report.

The Chief Clerk read from Mr. Remington's testimony, as follows:

"Our house has been constantly engaged in the fabrication of arms and parts of arms for nearly forty years, and we now possess facilities for completing every part of the rifle and revolver second only to one other private establishment in this country, and we had expected such an increase of orders from the Government as would place us on a footing more nearly approaching equality with other private establishments.

"Having business correspondence in all the principal cities of the South, we declined all orders for arms when there was the slightest ground to suspect the loyalty of the parties. As early as November, 1860, we commenced returning orders from our southern customers, and we have not furnished any one since who was known to sympathize with the rebellion. Jefferson Davis ordered five thousand rifles for the State of Mississippi in November, 1860, which was also peremptorily declined. In this we have only done our duty as loyal citizens. We claim no credit for performing our duty, nor do we wish to disparage others or make uncharitable comparisons; but justice to ourselves requires us to state that we have furnished the Government with our Army and Navy revolvers at fifteen dollars, while it was compelled to pay twenty and twenty-five dollars for large quantities of a similar arm confessedly no better than our own; and in all our intercourse we have been governed in all respects by the usages and regulations of the service."

The following extracts from the report of the commission were read:

The commission find that the Messrs. Remington have been for a number of years manufacturers of arms for the Government; that they have a large and well-supplied factory for gun-work; that, upon receipt of the above orders, they enlarged the capability of their establishment by the expenditure of about one hundred thousand dollars; that they are working zealously and at extra hours to expedite their work, and have now parts of all the five thousand pistols in hand.

The work on the rifles is also fully under way, and parts of a large number are in hand.

Mr. Remington has appeared before the commission and stated that they desired to devote the full capabilities of their establishment to the use of the Government; that they found they could manufacture pistols and rifles with fair profit to themselves at much less prices, provided the Government would secure to them work for a reasonable time by giving orders for arms to the extent given to other first-class manufacturers; that if permitted to contract

with the Government for the manufacture of forty thousand rifles additional, or forty thousand Springfield muskets, they would agree to furnish the rifles with saber bayonets at seventeen dollars each, or the Springfield muskets at sixteen dollars each, and would then charge the above ten thousand rifles, if confirmed to them, at the rate of seventeen dollars only; and, further, that in case their proposal, made in accordance with the advertisement of the ordnance department, to furnish Army revolvers was accepted, they would likewise agree to include the number in the above order of July 30 as forming part of any number ordered, and at the rates stated in their proposal. The commission, accepting the above offer of Mr. Remington, postponed action on the above cases, and recommended the execution of contracts for forty thousand Springfield muskets at sixteen dollars, and for twenty thousand Army and Navy revolvers at twelve dollars.

As the said contracts have now been executed accordingly on the part of the Government, they hereby confirm the above orders of July 30 for ten thousand Harper's Ferry rifles and of July 30 for five thousand Army revolvers, according to all their terms and conditions, provided that the price to be paid for each rifle shall be seventeen dollars, including appendages, and for each revolver twelve dollars, including appendages; and provided further, that they shall, within fifteen days after notice of this decision, execute bond, with good and sufficient sureties, in the form and with the stipulations prescribed by law, and the regulations for the performance of the contract, as thus modified, and, upon their failure or refusal to execute such bond, then the said orders shall be declared canceled and of no effect.

We are, sir, very respectfully, your obedient servants,

J. HOLT,
ROBERT DALE OWEN,

Commissioners.

J. V. HAGNER,

Major of Ordnance, assistant to Commission.

General J. W. RIPLEY, *Chief of Ordnance.*

WASHINGTON, June 20, 1862.

DEAR SIR: In the report which we will make to the Secretary of War in a few days we shall take occasion to mention the reduced price at which Springfield muskets have been contracted to be manufactured, and think it would be only justice for us to state that the information on which our action, in insisting on this reduction as reasonable, has been based, came from yourself. Have you any objections to our referring to you in this connection by name? If you have, of course we will not do it.

Please answer by return mail, and oblige, very respectfully,

J. HOLT, *Commissioner.*

MR. S. REMINGTON, *Ilion, New York.*

OFFICE OF REMINGTON'S ARMOY,
ILION, NEW YORK, June 25, 1862.

SIR: We have your favor of the 20th instant, addressed to one Mr. S. Remington, and in reply have to say that we have no objection to your using our name, as suggested in your report to the Secretary of War in connection with the manufacturing of the Springfield musket, &c.

We are, very respectfully, your obedient servants,
E. REMINGTON & SONS.

Hon. JOSEPH HOLT, *Washington, D. C.*

MR. CONKLING. These extracts establish two things: first, that Remington & Sons gave all their facilities and energies to the Government during the war, refusing and rejecting all offers, at whatever profit, coming from the rebels, or from the enemies of the United States; second, that they volunteered to inform the Government that the prices offered them were excessive, and that at lower prices they were willing to make, because they could make with a living profit, the arms required.

I think Samuel Remington may stand for the present upon that record. If he wrote the letter which is attributed to him, I am sorry for it; but I repeat, I think he may stand for the present until some other snapper up of unconsidered trifles shall rummage his pockets for other papers.

Dugald Dalgetty boasted of his loyalty; he said he was true to every Government as long as it was his interest to be so. I hope that this standard of loyalty will not be too high for any man who, having served as the spy of Louis Napoleon, is ready in turn to serve the French republic, or the sons of Louis Philippe. I hope it will not be too high for those who are seeking to bespatter our Government with the mud in which they are dredging for claims against American merchants and American citizens.

Shortly after the proclamation to which I have called attention, the ordnance department discovered that Mr. Remington had business relations with France. Instantly transactions with him were arrested, and from that hour never was sale made by the United States to Remington; but the Government did continue the sale to other citizens of ordnance stores. Was this unlawful, was it immoral according to any code? Did the Franco-Prussian war make it an act of hostility to Prussia, for this Government to sell arms to our own citizens? Were France and Prussia alone arming? No, sir. The honorable Senator from Missouri has chosen to discuss this question as if the only market for arms sprang from the combat between these two nationalities. On the contrary, the allies of Prussia were arming, as well as Prussia's foes. The whole eastern hemisphere was arming. Russia was arming, Austria was arming, so was England, Egypt, and the Sultan of Turkey. Denmark was arming, Sweden was arming, South America was arming. There were strifes for empires and strifes for seas. Russia had given notice that she would dissolve or rend her treaty stipulations which limited the armament with which she might cruise in the Black sea. Spain was on a war footing, in her own peninsula, and in the Island of Cuba. All Europe was to be embroiled. There was likely to be a riot of the nations. In every money-center, and commercial mart on earth, there was a market for arms. And we are told that at such a time, in the midst of such events, our Government must suspend its customary trade. Who says this? What publicist ever said it? In what tongue did he write? In what library can his words be found? Sir, I deny it. There is no such principle of public law, no such dictum. I challenge its production.

Why pervert and cram the case, by arguing as if the Rhine was the sole field for which arms were in demand? Remington himself sold arms to eight foreign Governments: to Denmark, forty-two thousand stand of arms; Spain, for Cuba, seventy-five thousand stand

of arms; Rome, ten thousand; Japan, three thousand; South America, ten thousand; Sweden, thirty thousand; Egypt, sixty thousand; and others, nearly half a million stand of arms sold to foreign Governments within the last three or four years, not to "scare geese," not "to kill black birds," but to carry on the grim trade of death, to lift still higher the purple testament of bleeding war. Mr. President, humanity may sigh and sicken, Christianity may shudder at the thought; but to talk about this being a breach of international law, is the very phantasy or hypocrisy of faded sentimentality, if it is not something worse. Prussia had her needle gun. On a hundred battle-fields the world had seen the arms of America surpass all other implements of war; on a hundred battle-fields American artisans had proved their title to unequalled inventive genius. The needle-gun of Prussia alone, in the whole armory of the world, was entitled to comparison with the arms we made. Prussia had her needle-gun in numbers great enough. She therefore did not buy guns of us, although our ordnance stores did go in part, I am told, to Prussia; but she wanted no guns. I call the honorable Senator from Missouri as my witness to prove this fact. I quote him:

"The Senator from Iowa called already our attention to certain proceedings which passed between the Prussian legation and the War Department. He said that the Prussian minister had requested the Secretary of War to suspend the sales of arms for a little while, so that Prussian agents also might have an opportunity to bid. The Secretary of War having communicated to me the same statement at the time, or a short time after, I inquired of the Prussian legation whether this was actually the case."

I pause to ask the attention of the Senator to that statement. A member of this body goes to the minister of war and asks for the statement of a fact touching a foreign Government, the Secretary of War makes an explicit statement to the Senator upon his veracity; and that Senator tells us that he then goes to a foreign legation, communicates what he has heard, and inquires whether the statement of the American Secretary of War be true or not! Sir, we have heard much about official propriety; we have been told many things becoming and decorous in public officers. I venture no comment on the passage I have read, but I reserve the right to reflect whether this is an example we should improve our ways by following.

The application the Senator made was a very safe one, however. He inquired of the Baron von Gerolt, who was not only a truthful man, not only a Christian, not only a German to the core, and a watchful, zealous minister, but who was a friend of America in sunshine and in shade, and who carried with him from our shores not only a memory of the respect and affection in which he was held, but a thorough appreciation of the kindness, the friendship, and the fellowship that Germany ever found in the American Republic.

The Senator continues:

"The information I received was this: that indeed they had requested the Secretary of War to suspend the sales of arms for a certain time, but not with a view to buy for the use of the Prussian Government, which had arms enough"—

So the Senator was informed by the official representative of that Government—

"but in some way, by advancing money upon them, to prevent the sale of those arms to the French."

Mr. SCHURZ. The Senator is aware that I think the day after I made those remarks, I corrected them to some extent.

Mr. CONKLING. Will the Senator give me the correction now?

Mr. SCHURZ. Certainly; I have the Globe here.

Mr. CONKLING. I do not wish to place the Senator in a false position; far from it.

Mr. CAMERON, (after a pause.) Has the Senator from New York concluded?

Mr. CONKLING. I am waiting on the Senator from Missouri, who wishes to make some correction.

Mr. SCHURZ. I think the Senator from New York took part in that conversation which I had with the Senator from Indiana the next day after I made that speech.

Mr. CONKLING. If there is any material error, cannot the Senator correct it as matter of fact now?

Mr. SCHURZ. The correction I made was this: that an arms merchant from New York, having been advised of the sales going on here, had come here and made the suggestion himself, not that the suggestion had proceeded from the Prussian legation.

Mr. CONKLING. The honorable Senator corrects himself upon a point not material now. His point is not in question here. I am citing the Senator to prove two things: first, that Prussia had the opportunity to buy of our citizens as all other buyers bought, and second, that Prussia declined, or did not improve the opportunity, because she was already equipped; in the Senator's language, that she had arms enough. That is all.

Mr. SCHURZ. May I interrupt the Senator for a moment there?

Mr. CONKLING. Yes, sir.

Mr. SCHURZ. The Senator does not suppose I pretend to speak here as to the reasons which Prussia had for not buying arms. When I said that she had arms enough, that was my own supposition, nobody else's.

Mr. CONKLING. Then the honorable Senator will allow me to say that he was unfortunate in putting the statement into the mouth of Baron Gerolt. Let me read what he said:

"The information I received was this"—

From the Prussian minister—

"that indeed they had requested the Secretary of War to suspend the sales of arms for a certain time, but not with a view to buy for the use of the Prussian Government, which had arms enough, but in some way, by advancing money upon them, to prevent the sale of those arms to the French."

Certainly if the honorable Senator meant to express a conjecture of his own, there was some infelicity in his putting it into the mouth of the German minister; but of course I make no point upon it if the Senator will only state what he means us to understand now as to the fact.

Mr. SCHURZ. What I meant the Senator to understand was simply this, that that was parenthetically interjected as a remark of my own, for the Senator can very well understand that if Baron Gerolt had made a statement about the condition of his country to me in regard to such matters, I would not report it here. But that was one of the reasons which suggested itself very naturally, as we were all very well informed about the military condition that Germany was then in.

Mr. CONKLING. Really the Senator presents me now with a piece of propriety too fine-spun for my comprehension. My mind is not microscopic enough to perceive the propriety which he says restrains him. Let me understand it. He says now, a year after the war has ended, that he would not be guilty of stating what Baron Gerolt told him pending the war, touching the number of arms Prussia had. The Senator knows that there has gone into the military gazettes of Europe and of the world, a minute statement of all the armament of Prussia, from a gun-carriage to a canteen. What possible secrecy or confidence can there be at this late date about the armament or equipment of Prussia, or the report of that equipment made by Baron Von Gerolt? Considering the Senator had no scruple in making known to the minister of Prussia the statement of the Secretary of War, and in comparing notes with the minister to know whether the Secretary of War told the truth, it seems to me it is very scrupulous in him now to shrink from telling what the minister said about matters which have already become notorious throughout the world.

Mr. SCHURZ. I merely wanted to inform the Senator that in reporting the conversation I had with Baron Von Gerolt I desired to urge the principal point, and that the remark interjected there about the military condition of Prussia was a remark of my own. However, I do not consider the point relevant at all, nor does the Senator from New York, as I perceive. I think, therefore, it was hardly necessary to multiply so many words about it.

Mr. CONKLING. What, then, is all this about? The Senator says now that Prussia's full supply of arms was his own statement. Did he believe it when he made it?

Mr. SCHURZ. That Prussia had arms enough?

Mr. CONKLING. Yes, sir.

Mr. SCHURZ. To be sure I did.

Mr. CONKLING. Then I still call the Senator as my witness. We know how thoroughly informed he is touching the politics and public affairs of Christendom. We know

the access and facility he has to learn such a fact as he states, and therefore I call him to the witness-stand again to prove, not upon the testimony of Baron Von Gerolt, but upon his own testimony, that Prussia had the opportunity to buy arms, but that she was armed and equipped, and did not want them.

Mr. SCHURZ rose.

Mr. CONKLING. But, sir, if the Senator will pardon me a moment, without calling him as a witness, I can prove the fact otherwise, inside this case, and outside of it by a cloud of witnesses; and if the Senator is sensitive about being quoted in this regard I will establish the fact without his testimony.

Mr. SCHURZ. Not at all. On the contrary, if the Senator had put the question to me directly he might have had a very short answer: "Yes, I believe so; there is no doubt of it." I did not want to put that remark into the mouth of Baron Gerolt; that was all. About the fact itself there cannot be the remotest doubt in the world.

Mr. CONKLING. Very well. Then let me apply the fact, as I was proceeding to do when I was stopped by the Senator. The fact, then, is that all comers alike, whether from the Black sea, the Baltic, or the Mediterranean, whether in the eastern or the western hemisphere, had the opportunity in open market to buy ordnance stores in American markets. That is the fact. What, then, becomes of the pretense that we violated neutrality? What becomes of the allegation that France was favored? What becomes of the assumption that the Franco-Prussian war monopolized the arms market, and that we were bound to assume that all arms bought were destined for the single region occupied by that war?

But the Senator has another complaint. It is said that Richardson—and now I shall not forget to answer the question put to me about the mode of sale under the statute—"one Thomas Richardson, the known attorney of Messrs. Remington & Son," says the preamble, bought arms, and the Government of the United States is arraigned for selling to Richardson? Why?

Let me first remark that that statement in the preamble is shown twice over to be groundless: first, because the allegation is that the papers referred to show that Richardson was the known attorney of Remington & Sons, and those papers upon inspection show no such thing; second, the statement is false in fact, however bolstered up, that Richardson was "known" to the War Department as the attorney of Remington; and that is the meaning of the preamble; that is the force of the word "known" as there used. The allegation is not that he was so known to his family, or to Mr. Remington and to his family, or in the little hamlet where the Senator says Richardson lives; but the charge is that Richardson was known to the War Department as the attor-

ney of Remington; and the honorable Senator from Missouri appears as the advocate and champion of that allegation. How does he attempt to prove it? By circumstances, nay, by theory and conjecture—nothing more. He tells us that the Government was bound to inquire who Richardson was, and he tells us that Richardson was “a little lawyer;” “a little country lawyer,” “a bellicose lawyer;” and then, with inimitable facetiousness, he asked the Senate, did Richardson want these guns to bombard the heads of judges in place of bombarding them with arguments? Did he want them to “scare away geese,” or “fire at blackbirds?” That is ineffably funny; it is mirthful in a side-splitting degree; but I ask the honorable Senator, is it worthy a place in such an argument?

No, sir, Richardson did not want these guns to scare away geese. He wanted them to sell in the market at a profit, as he would have sold so many barrels of flour or so many pounds of beef. He wanted them, as every other dealer wants a commodity, to make money upon them—that was his interest and object. Wheresoever a man's treasure is, there is his heart also.

But the honorable Senator says the War Department should have known that he was a little country bellicose lawyer. Why so? It turned out in the course of the Senator's argument that he knew enough of the mode of transacting such business to understand that men do not come with their bids upon their lips, and present themselves face to face at the Ordnance Bureau. Such business is done by mail, or by broker, and on paper, not by word of mouth, or in person. Therefore the Secretary of War had no opportunity to compare this man with greater men, and see how “little” he was, nor how liable to be spoken of by the Senator with such magnificent disdain.

But the honorable Senator seems not to know the mode of transacting business at the War Department in the sale of stores. Does he know that every bid must be accompanied by twenty per cent. of the amount in cash? Does he know that a margin of twenty per cent. in money, is put up at the time of the bid, and that the balance must all be paid before the stores are delivered, and paid within thirty days, on penalty of forfeiting the margin of twenty per cent.? Does the honorable Senator know it is a cash transaction—that the name of the buyer is cash? If I might air a faded classicism, I would remind him that the Roman poet tells us there is no color in money, and when the little bellicose lawyer sends his twenty per cent. of legal tenders with his bid, and follows it with his eighty per cent. of payment, his money is as good as if it were the money of the distinguished Senator himself.

If the bid of Richardson came in the due course of business, and free from badge of suspicion, it would, of course, be treated like other bids, and if it were the highest bid, it would be

accepted. What can it be supposed there was to suggest French agency in one bid, more than in another, whether the bidder spelled his name Richardson, or spelled it otherwise? If the authorities suspected Richardson, they were bound, the Senator says, to inquire. If they had reason to know, or believe, or suspect him of being a French agent, then there was something to put them on inquiry. But this part of the case breaks down for the want of a leg to stand on; there was nothing to put the Department on inquiry, and the Secretary says there was no thought or suspicion that Richardson acted for France in any way. Is it pretended that Richardson's bid was in any respect peculiar, suspicious, or noticeable? Not that we have heard.

But the Senator wants me to observe the requirement of the statute that notice shall be given. Does he know that notice was given in all these cases, and that every man who buys at private sale buys as a bidder upon a recorded bid? If he does know it (and he nods assent) I should like to understand the weight of his question upon the statute. He reads to me the statute to show that as he understands it notice must be given. I ask him if he knows that notice always was given, and he nods assent. What is it that the Senator would of me, then, in reference to the statute?

Mr. SCHURZ. My assent did not refer to their always having given notice. I did not desire to express any such opinion. All I wanted of the Senator was merely to have his opinion whether the statute really meant that notice of a sale should be given thirty days beforehand in some public paper; and that is what he understands it to mean.

Mr. CONKLING. No; I understand the Senator now to interpolate the words “in some public paper.” I had not heard that before.

Mr. SCHURZ. Public notice being given.

Mr. CONKLING. Yes, notice being given—nothing about newspapers, however. When we talk about a statute, it is well to talk about it, and not about something else, or something it does not say. I have heard nothing before about public papers, and I confess my ignorance of the usage of the Departments as to the particular mode or instrumentality of giving the notices to which they resort. If I had understood that the insertion in a newspaper was the topic of the Senator's inquiry, I would have pleaded ignorance at once.

Mr. SCHURZ. Now I must confess that the answer of the Senator is a little unintelligible to me. Does he really interpret that statute in such a manner that in the usual way public notice is to be given of the sale of arms or ordnance stores thirty days beforehand? I ask that question in perfect good faith.

Mr. CONKLING. I have no doubt of it, Mr. President, and I answer in like good faith. The statute speaks of notice, or of sale after notice of certain length of time, and I

understand all these sales have been in fact upon and after such notice. If I am so dull as not to apprehend the Senator's question I beg his pardon; I mean to apprehend it, and I mean to answer it.

I have said that there seems to have been no reason to inquire into Richardson, or to pry into his circumstances or intentions. I want now to prove by the Senator that the War Department did not in fact know or suspect that Richardson was the agent of Remington, or the agent of France. How shall I prove it? By interviews held between the Senator and the Secretary of War at the time. Here is the Senator's own narrative of these interviews:

"The answer I received"—

That is, from the Secretary of War—

"in several of these interviews was that the Government had a right to sell arms to American citizens; that he did not know that the arms went into the hands of French agents, and did not see any reason to stop the sales."

If this statement is true, there is an end of Richardson upon the question of his being "known" to the War Department as the emissary of France or the agent of Remington; and I can prove by the Senator further that the statement is true, because he has been kind enough to support the veracity of the Secretary of War. He says:

"Understand me well. I am by no means willing to cast any aspersion of that kind upon the Secretary of War. I have always esteemed him an honest man."

I think the Secretary of War, with the indorsement of the Senator from Missouri, is witness enough to establish the fact that the War Department did not know or suspect that Richardson was the agent of France or the agent of Remington. The Secretary could not be truthful if Richardson was known as Remington's agent, because Remington had become known as the agent of France. What, then, is the truth of the whole matter? The Government went on with its sales, beginning long before the Franco-Prussian war and continuing long afterward. And here I quote from memory, not having lately looked—Senators fresh from examination will correct me if I am wrong—the statement of Vattel to this effect, that under circumstances like these it is an unquestionable right of every Government to "continue its customary trade." I think I am not wrong in the phrase, and the honorable Senator from New Jersey, [Mr. FREELINGHUYSEN,] who has, I think, recently reviewed Vattel, will correct me if I am wrong. The action of our Government, unchallenged by Bismarck, unchallenged by Prussia, unchallenged by the representative of Prussia, is gainsaid now, as I have a right to say, and I invite a denial of the statement, with the full knowledge that claim agents of France rely upon it to bring out evidence wherewithal to pursue merchants in the city of New York. I repeat again, that I invite denial of the state-

ment that this is one motive of this investigation, and a motive not concealed from those who bring it forward.

But, Mr. President, we are told that in transactions of ten million dollars, Americans have made a profit of a million. What of it? I am glad of it. I would it were two millions; I should not grieve if it were four. The French people were doomed to be beaten and stripped from the start, and if the profits they paid have gone into the workshops of America, and not into the workshops of Great Britain, amen, amen. The French people were no parties to the war. It was not their war. It was a sordid dynastic plot and raid of Louis Napoleon. The sooner his money was gone, the sooner the agony was over; the sooner the woful pageant was passed; the sooner Alsace and Lorraine were lost; the sooner a sorry theatrical closed with the words, "Not being permitted to die at the head of my army, I lay my sword at the feet of your Majesty." Ask no grief from me, for the cause or the gold this gamester lost. His reign was a usurpation; his Government and his campaign were founded on a lie, and a lie will upset anything, from an apple-cart to an empire.

No, Mr. President, no investigation to enable Louis Napoleon, or his successor, or the claim agents of France, to dog American merchants, or rummage their books and accounts to learn whether the sum be more or less they made from the profits of merchandise in the markets of the world.

We are told again that French officials have been guilty of embezzlement. Well, justice seems to be overtaking them. Remington, overlooking apparently the ingratitude and the scandal of their attempting now to wrong him of his dues, has made valuable contribution to the information which has brought French culprits to justice. Let France punish her criminals; let France pursue her remedies; but do not let us soil the American name for effect in a presidential canvass, or to fish for evidence on which France or Frenchmen may harass manufacturers or traders in America.

This case as it stands, is a case of collapse; but let it be investigated, and let us be quick, lest investigation turn to *post mortem* examination. Let us investigate it on all sides. I have offered an amendment to enlarge the scope of inquiry, and as pertinent to that amendment I read an act of Congress to the Senate:

"If any person being a citizen of the United States, whether he be actually resident or abiding within the United States, or in any foreign country, shall, without the permission or authority of the Government of the United States, directly or indirectly commence or carry on any verbal or written correspondence or intercourse with any foreign Government, or any officer or agent thereof, with an intent to influence the measures or conduct of any foreign Government, or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or defeat the measures of the Government of the United States; or if any person being a citizen of, or resident within the United States, and

not duly authorized, shall counsel, advise, aid, or assist in any such correspondence, with intent as aforesaid, ho or they shall be deemed guilty of a high misdemeanor, and on conviction before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding \$5,000, and by imprisonment during a term not less than six months nor exceeding three years."

That is a good statute. It was made for a purpose, and has long stood. It was signed by a Massachusetts President. I should like to know whether it has been violated. That correspondence and communication—I couple the words of the statute—have been commenced and carried on with a foreign Government, or with the agents or officers thereof, is too clear for doubt. Whether this has been done with the intent denounced in the statute, let us see. Let there be light on that point among others. It may be that he, a citizen of the United States, who, knowing that the Alabama controversy with England is pending, knowing that the San Juan boundary dispute is pending, knowing that Germany's emperor is an umpire in one of these disputes, knowing that heads of other nations are members of the tribunals before which we are about to appear, it may be that he who knowing all this, upon groundless and unexplored pretenses, arraigns the conduct and the honor of his Government before the world, charges it with a breach of neutral obligations more odious and aggravated than those we lay at England's door, and who holds correspondence with French agents or officers for this purpose, and thus provides himself with evidence by which to compass his object, is not caught in the embrace of the statute I have read. If so, it will do no harm to investigate, and let us know how the fact may be. Enough has cropped out to give occasion to the public to consider the case in the aspect presented by my amendment.

The Senator from Missouri will take no offense I hope at my reading an extract from a German paper published at Chicago, known as the *Staats Zeitung*.

Mr. SCHURZ. Yes, sir, and it is edited by the collector of internal revenue there. [Laughter.]

Mr. CONKLING. He must be a very good collector of internal revenue. He is a very good collector of external information and external sense. Commend me to that man. You may depend he is a careful collector of the things which he deems it his business to gather up. I read, after the remark of the Senator, with less hesitation than I had before, the comment of this German organ upon the proceeding which now occupies us. He says:

"The German Government has never regarded this matter as a breach of neutrality. It has never complained or protested; and to be more Germanized than Bismarck we certainly need not be."

"On the other side, these speeches of SUMNER and SCHURZ, which are being made at the moment when the conference of Geneva is threatened with dissolution, are so many arms sent to England, to be used against the United States. This may suit the Cologne newspaper, but that we should rejoice

thereat does not seem so clear to us. It seems to us that in the German-American patriotism of Senator SCHURZ a curious transformation has occurred."

"At the time when the Germans were protesting and indignant Senator SCHURZ was an American and remained silent. Now, on the eve of a conflict with England, when it is the duty of every American, native or adopted, to be patriotic and public-spirited, Senator SCHURZ is all at once a German."

Mr. SCHURZ. Will the Senator from New York permit me to make a remark?

Mr. CONKLING. Certainly.

Mr. SCHURZ. The collector of internal revenue makes the remark that when the sale of arms was being carried on I was an American and did nothing to respond to the explosion of feeling which then went on all over the country. The man lies, and he knows it, and there are other gentlemen on this floor who know it, and I appeal to my friend, the Senator from Indiana. [Mr. MORTON.]

Mr. SUMNER. I know it. [Laughter.]

Mr. CONKLING. There appears to be a vast deal of information lying about loose. [Laughter.] This, in spots and places and at times, is the most intelligent body I know anything about. The only wonder is that some members who know so much on some subjects, should be so wanting in information on others; but I am not surprised at this gush of information. My opinion is, and it does not rest on air, that members of this body do know much of the history, the rise and the progress, and they will no doubt yet know much of the decline and fall of the "arms scandal." Their knowledge goes back for months, and when they leap forward in their exuberance and wealth of information, I am not surprised.

I did not read this extract from a German paper to convict the Senator from Missouri of having done or omitted to do anything. That was not my object. I read it to hold the mirror up to nature, to let the Senator see the reflex of his sayings and doings, to let him see how it strikes intelligent men of all nationalities and all shades of opinion.

Mr. SCHURZ. May I say a word?

Mr. CONKLING. Always.

Mr. SCHURZ. Did not the Senator rather prove to me how it strikes the minds of internal revenue collectors?

Mr. CONKLING. I did not know that I did; but upon such disordered rules of evidence as seem to prevail with the Senator, I should think he might come to such a conclusion. He has seen fit to speak of this editor as an internal revenue collector. I hope in so speaking, he has not subtracted anything essential from his next essay on civil service reform. I hope this passage torn out, will not mar the beauty of the production. I hope enough material will be left to make that essay tremendous with stunning effects. Some other instance may be looked up, to show that if a man has been selected by the sentiment and intelligence around him as a proper person to hold a pub-

lie trust, he must be a scoundrel, and is to be discredited and branded. I understand the person now so roughly denounced, is a respectable American citizen of German descent. If he has ever been guilty of speculation, theft, fraud, or dishonesty, I pause to enable the Senator to state it. If he has not, if he stands fair and has acquitted himself honestly, personally and officially, I leave so much of satisfaction with the Senator as will remain with him for attempting to asperse an American citizen and a countryman of his own.

Mr. SCHURZ. May I add one remark to the eloquent passage the Senator has just been delivering himself of?

Mr. CONKLING. More than one.

Mr. SCHURZ. Did I not tell the Senator that that editor, in stating what he does state there, states something which he knows to be false?

Mr. CONKLING. I did not fail to hear the very terse and laconic statement made by the honorable Senator upon that point. I did not join issue with him in regard to it, for fear that my doing so might lead to discussion, possibly controversy. Whether, assuming the article to be false, the editor knew its falsity, is one question; whether the article is false

in general, is another question, and there the belief of the honorable Senator and mine might not coincide.

I believe, Mr. President, this proceeding, this enormous accusation, and the publication of it to the world, with a reckless want of care about its truth, is an act which can never be justified, and can be palliated only by referring it to prejudice and feeling too great to be resisted.

Differing widely as to the quality of the act of parading such accusations, the Senator and I had better not discuss the justice of the newspaper paragraph which has disturbed him so much.

But let us have investigation on all sides. Let there be no dark place, no nook, no corner anywhere. The American honor has been assailed; the American name has been hawked at; grave and offensive charges have been spread before the world. Let us know the truth, no matter at what cost of convenience. Let the witnesses be brought, if to bring them it be necessary to traverse continents, visit islands, vex seas. Let us know the very right and justice of this matter. Let us have laid bare, the motives which have brought it about. Let justice be done, though officials higher or lower fall.

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